4P

UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/769,468	01/26/2001	Daniel John Lloyd-Jones	169.1984	5465

5514 7590 02/08/2005

FITZPATRICK CELLA HARPER & SCINTO
30 ROCKEFELLER PLAZA
NEW YORK, NY 10112

EXAMINER	
HUYNH, BA	

ART UNIT	PAPER NUMBER
2179	

DATE MAILED: 02/08/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	09/769,468	LLOYD-JONES ET AL.	
	Examiner	Art Unit	
	Ba Huynh	2179	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *04 October 2004*.

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-12* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-12* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____.
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: _____.

DETAILED ACTION

Response to Arguments

Applicant's arguments with respect to the rejection(s)of claim(s) 1-12 over US patent 6,580,437 (Liou) have been fully considered and are persuasive. Therefore, the rejection has been withdrawn. However, upon further consideration, a new ground(s) of rejection is as follow:

Note: The claims languages "selection", "selected", "selecting" are being interpreted in light of the applicant's definition as being performed using one or more of the input devices (the spec. page 7, lines 18-24).

Claim Rejections - 35 USC § 102

1. Claims 1, 2, 4-6, 9-10, 12 are rejected under 35 U.S.C. 102(e) as being anticipated by, or in an alternative, being obvious over US patent #6,633,308 (Ono et al).

- As for claims 1, 5, 9: Ono et al teach a computer implemented method and corresponding system and program code means for browsing video data, the data being organized hierarchically in a tree structure having plurality of nodes representing different levels of information (figures 2, 7), each node having includes multiple frames represented by a key-frame (5:14-23; 1:27-29). The user interacts with the tree to visualize different levels of information associated with a selected key-frame (7:30-43; 8:30-32). The tree of figures 2, 7 present at least 5 level of information, indicated by its nodes. The user can select to display different portions of the tree. In parent-only mode, the key frame associated with a parent node and

other key frames which are also associated with the parent node are magnified in the scene display area. In parent-children mode, the key frame associated with a parent node and other key frames which are associated with the child levels are magnified in the scene display area.

- As for claims 3 and 11: Since the frames in each node are associated with corresponding duration and can be selected independently, each can be selected to display in a first time interval, a second time interval, a third time interval, a fourth time interval, etc...

- As for claims 4, 12: Each keyframe comprises text and/or image data (figure 6).

Claim Rejections - 35 USC § 103

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

3. Claims 2, 6-8, 10 are rejected under 35 U.S.C. 103(a) as being unpatentable over US patent #6,633,308 (Ono et al).

- As for claims 2, 6, 10: The user can select to display different portions of the tree. In parent-only mode, the key frame associated with a parent node and other key frames which are also associated with the parent node are magnified in the scene display area. In parent-children mode, the key frame associated with a parent node and other key frames which are associated with the child levels are magnified in the scene display area. Ono et

al fail to clearly teach providing visual indication of collapsed and expanded nodes. However, Official notice is taken that implementation of collapsed and expanded icon such as the (+) and (-) at the nodes is well known in the field of tree directory display. It would have been obvious to one of skill in the art, at the time the invention was made, to combine the well known implementation of the collapsed and expanded icon such as the (+) and (-) at the nodes to Ono et al. Motivation of the combining is for providing a visual indication of collapsed and expanded nodes

- As for claims 7, 8: Ono et al fail to teach the radial orientation of the hierarchy level representation, however implementation of a radial menu is well known in the art of menu interface (see the cited references). It would have been obvious to one of skill in the art, at the time the invention was made, to combine the well known implementation of radial menu to Ono et al for displaying the representation of the video level hierarchy. Motivation of the implementation is for reducing cursor movement. The radial menu automatically adjustable to linearly translate the menu hierarchy thereby effecting a change in the radial orientation of the menus (see for example, US patent '987 and '837).

4. Claims 1-12 are rejected under 35 U.S.C. 103(a) as being unpatentable over US patent #6,278,446 (Liou et al).

- As for claims 1, 5, 9: Liou et al teach a computer implemented method and corresponding system for browsing video data, the data being organized hierarchically in a tree structure having plurality of node representing different levels of information (figures 12, 14), each node having includes multiple frames represented by a keyframe

(13:57-60). The user interacts with the tree to visualize different levels of information associated with a selected keyframe (13:57-66). The tree of figure 14 presents at least four levels of information indicated by its indentation. It is inherently included that the tree can be expanded or collapsed. Even if it is not, implementation of expanded and collapsed tree, indicated by (+) and (-) icons is well known in the art of tree directory display. It would have been obvious to one of skill in the art, at the time the invention was made, to implement the expanded and collapsed tree display to Liou et al. Motivation of the combining is for controlling display area. In light of the combining, the user can selectively display video frame associated with a parent node (i.e., in parent mode wherein child nodes of selected levels are collapsed) or a child node (parent-child mode. 15:40-44). In parent and child mode, a selected node is magnified in a video display (figure 15).

- As for claims 2, 6, 10: In light of the combining, the (+) and (-) icon indicate the presence of undisplayed or displayed data respectively.
- As for claims 3 and 11: Since the frames in each node can be independently control by the video control buttons of figure 15 (forward, fast-forward, pause), each can be selected to display in a first time interval, a second time interval, a third time interval, a fourth time interval, etc...
- As for claims 4, 12: Each keyframe comprises text and/or image data (figure 15).
- As for claims 7, 8: Liou et al fail to teach the radial orientation of the hierarchy level representation, however implementation of a radial menu is well known in the art of menu interface (see the cited references). It would have been obvious to one of skill

in the art, at the time the invention was made, to combine the well known implementation of radial menu to Liou et al for displaying the representation of the video level hierarchy. Motivation of the implementation is for reducing cursor movement. The radial menu automatically adjustable to linearly translate the menu hierarchy thereby effecting a change in the radial orientation of the menus (see for example, US patent '987 and '837).

Conclusion

5. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

US 6,741,977 (Nagaya et al) discloses a tree representation of video images, magnification of the images associated with a selected tree node.

6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Ba Huynh whose telephone number is (571) 272-4138. The examiner can normally be reached on Mon - Fri.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Heather Herndon can be reached on (703) 308-5186. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Ba Huynh
Primary Examiner
AU 2179
2/5/05

BA HUYNH
PRIMARY EXAMINER